

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 943**

OFFERED BY MR. BILIRAKIS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Flu Vaccine Avail-
3 ability Act of 2001”.

**4 SEC. 2. AMENDMENT TO PUBLIC HEALTH SERVICE ACT RE-
5 GARDING AVAILABILITY OF INFLUENZA VAC-
6 CINE.**

7 Section 317(j) of the Public Health Service Act (42
8 U.S.C. 247b(j)) is amended by adding at the end the fol-
9 lowing paragraph:

10 “(3)(A) For the purpose of carrying out activities re-
11 lating to influenza vaccine under the immunization pro-
12 gram under this subsection, there are authorized to be ap-
13 propriated such sums as may be necessary for each of the
14 fiscal years 2002 and 2003. Such authorization is in addi-
15 tion to amounts available under paragraphs (1) and (2)
16 for such purpose.

17 “(B) The authorization of appropriations established
18 in subparagraph (A) is not effective for a fiscal year unless
19 the total amount appropriated under paragraphs (1) and



1 (2) for the fiscal year is not less than such total for fiscal
2 year 2000.

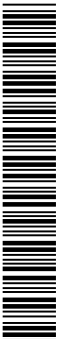
3 “(C) The purposes for which amounts appropriated
4 under subparagraph (A) are available to the Secretary in-
5 clude providing for improved State and local infrastruc-
6 ture for influenza immunizations under this subsection in
7 accordance with the following:

8 “(i) Increasing influenza immunization rates in
9 populations considered by the Secretary to be high
10 risk for influenza, with priority given to immunizing
11 such high-risk populations in September and Octo-
12 ber of the year involved.

13 “(ii) Providing for the continued availability of
14 influenza immunizations through December of such
15 year, and for additional periods to the extent that
16 influenza vaccine remains available.

17 “(iii) Encouraging States as appropriate to de-
18 velop contingency plans (including plans for public
19 and professional educational activities) for maxi-
20 mizing influenza immunizations in the event of a
21 delay or shortage of influenza vaccine.

22 “(D) The Secretary shall submit to the Committee
23 on Energy and Commerce in the House of Representa-
24 tives, and the Committee on Health, Education, Labor,
25 and Pensions in the Senate, periodic reports Congress de-



1 scribing the activities of the Secretary under this sub-
2 section regarding influenza vaccine. The first such report
3 shall be submitted not later than February 1, 2002, the
4 second report shall be submitted not later than February
5 1, 2003, and subsequent reports shall be submitted bienni-
6 ally thereafter.”.

